

Notice of Allowability

Application No.

10/685,497

Examiner

Jaworski Francis J.

Applicant(s)

KOHNO, SHINICHI

Art Unit

3768

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 10/16/03 filing.
2. ☒ The allowed claim(s) is/are 1-10.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

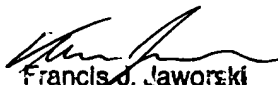
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☒ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


Francis J. Jaworski
Primary Examiner

REASONS FOR ALLOWANCE

The following is an examiner's statement of reasons for allowance: Hennige (US5492126) Fig.2 and element 36, Ouchi (US6238336, 6224555, 6390973) Figs.1 – 2,1-2,5 and respective element 14, 4, 11, Ito (US6409666) Fig. 1 and element 24, Fujio et al (US5471988 and 5873828) and respective Figs. 27, 3 and 113, 13, Tanaka (US6149598) Fig. 3 and element 29, Hiki et al (US5499630) Fig. 3 and element 32, Yokoi (US4763662) Fig. 4 and element 26, and Chin et al (US6171249) Fig. 4A and element 64 are all representative of combined ultrasound and optic viewing tip portions with forward inclined observation windows and biopsy channel passages referenced above, however none of the prior art alone or in combination teaches or suggests an endoscope distal tip including a main ultrasound element array containing casing and separable headblock having the optical observation means, angular ring set removably fitted on a ring mounting surface at the angled-separable headblock juncture together with forward skin surface extension as claimed.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

The specification page 23 lines 13 – 15 suggests that Figure 1 be labeled as -- PRIOR ART--. [It is also possible that Figure 2 also needs to be so labeled -- see the assignee's aforementioned prior patent to Tanaka (US6149598) for its very similar Fig.

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3 –application Fig. 2 similarity which would support an interpretation that perhaps this application's Fig. 2 is a conventional longitudinal section through a prior art endoscope

2. The specification should also be revised without new matter insertion to clarify the text point-of-departure within the figure sequence for what is invention-related if that is the case.]

Any inquiry concerning this communication should be directed to Jaworski Francis J. at telephone number 571-272-4738.

FJJ:fjj

09132006



Francis J. Jaworski
Primary Examiner